

**In the United States District Court
for the Middle District of North Carolina
Greensboro Division**

Defendant, Brian David Hill
v.
Plaintiff, United States of America

Criminal Action No. 1:13-cr-435-1

**MOTION FOR REQUESTING AUTISM EXPERT
TESTIMONY IN PREPERATION FOR WRIT OF HABEAS CORPUS**

Comes NOW, the Defendant Brian D. Hill with a REQUEST to the Honorable Court that they Grant this MOTION FOR REQUESTING AUTISM EXPERT TESTIMONY IN PREPERATION FOR THE WRIT OF HABEAS CORPUS under a Section 2255 Motion. This is NOT a Habeas Corpus Petition **but a request for authorization to discover NEW EVIDENCE** for the purpose of providing enough evidence to the Court showing a basis for the ground of Actual Innocence. The proof under this Motion is that people with Autism Spectrum Disorder: Mild Range or anybody with autism can make false admissions of guilt.

Upon the Courts approval of this Motion, that the Defendant shall find a mental health expert that has an expertise on the mental disability of Autism Spectrum Disorder, and that is willing to provide expert testimony on Mild Autism and false admissions of guilt, that he get a estimation on the costs he/she will charge for providing such testimony, and that him or through his attorney then fill out a CJA 21 Voucher requesting that the Court pay for such expert service for the

purpose of attempting to prove Actual Innocence by proving that people with Mild Autism like the Defendant can make multiple false admissions of guilt when manipulated, coerced, threatened, and in the event that promises are made.

Such examples are the letter to the Judge (Doc #53, Filed 10/29/2014) accepting guilt for possession of child pornography, the signing of the plea agreement (Doc #20, Filed 06/10/2014), and the confession on August 29, 2012. Even though each Admission of guilt sounds genuine, it can be easy to attack as a false confession in the event that a good competent defense lawyer can cite it. A confession can be false when the evidence doesn't match the confessional statements, no witnesses would ever attest to the claims made in a false confession to which can be attacked by cross examination with witnesses, and when a confession is contradictory.

The Defendant at the beginning of the confession (In U.S. Attorney's evidence) sounded as if he was trying to explain to the police that he didn't download child pornography and talked about a computer virus or Trojan horse. He was compelled by the two police detectives to make a false statement when the detectives claimed that child pornography was found on his computer and that he better just tell them what they wanted to hear, then all of the sudden like magic he told them how much of a pedophile they wanted him to say then by the end of it he claimed he needed help for his child porn problem. Then of course the police Chief brought up about the Defendant's mother and made a threat of coming after his mother to pin the charge on her if he didn't cooperate with police by confessing. Another good factor was that the confession was not under Oath, it wasn't in an Affidavit. His claim of making a false confession, his Innocence, and of not being attracted to children is

all under Affidavit. Then of course his guilty plea was done under the coercion of not being given enough insulin in the county jails while being offered time served. Same tactic as somebody who is thirsty in a dry hot desert needing water then is offered free water if they admit to a crime they didn't do and that person will be happy to make a false admission of guilt for free water. The Defendant wanted to get out of jail to protect his health from further permanent bodily damage from not being given enough insulin to sustain his health. His A1C blood hemoglobin levels were high during his incarceration. At his detention in FCI-1 Butner, NC his A1C was 10.9, and at Orange County Detention Center his last A1C while incarcerated was 8.8. Both are high A1C numbers and each A1C is based on a 3-month average of blood sugar levels. High A1C's are apt to get permanent damage to nerves, eyes, kidneys, etc etc, which are irreversible. So will the defendant suffer permanent body damage until he slowly dies in jail or get out on time served by saying he committed a crime he isn't guilty of? He will PLEAD GUILTY! That is reality that the court needs to understand.

The fact is Somebody with Mild Autism will falsely confess and make false admissions of guilt in court when pressured, threatened, coerced, when promises are made, and when manipulated. The defendant was coerced by his deteriorating health to plead guilty and accept responsibility. The defendant was coerced with making a false confession by both the Police Chief Charles J. Caruso and by the detectives claiming they found child pornography on his computer without showing any such proof that such images were indeed found at that time. Any detective can falsely claim that they have the evidence to convict somebody to get

a confession, even if that confession was false. It is important that a autism expert be appointed by the court to provide expert testimony on the matter of false admissions of guilt and Mild Autism.

So he is asking the court to give him up to a total of 30 days after the granting of this Motion to look for a autism expert then file a CJA Voucher once a autism expert is found and is willing to provide expert testimony. The expert testimony shall be based on Autistic people making false confessions, false admissions of guilt on court record, on how easily the autistic person can be manipulated to make a false statement, and that a autistic person has no intent to commit any kind of sexual offense against a child, that the autistic person accused of child pornography possession will never harm a child.

The expert should be compelled to create a Autism Expert Testimony report for the U.S. District Court on his/her findings under his/her expertise on Autism Spectrum Disorder. Then such report can be used as an evidential basis to determine whether there is a sufficient ground to prove Actual Innocence under a 2255 Motion.

This will resolve any issues that he is having with the confession, plea agreement, and letter to the Judge regarding acceptance of responsibility.

It is appropriate to grant his pro se post-conviction MOTION to authorize the Autism Expert to provide testimony, in order to resolve any issues and disputes with the U.S. Attorney's audio CD and other confession evidence.

He also files a request in this MOTION that it be addressed on the papers without a hearing. The Defendant waives his right to a hearing on this motion.

Without the approval of such request the Defendant may not be able to prove

that all of the false admissions of guilt on court record were a byproduct of his own Autism, which can aid in proving Actual Innocence in his 2255 Motion he plans on filing.

Thus the Defendant requests that he moves this Court to ORDERING a Autism Expert to provide testimony to help prove Innocence.

He respectfully submits and files with the Clerk of The Court, for the purpose of the Honorable Court granting this MOTION for Autism expert testimony to prove Actual Innocence.

Respectfully submitted,

A handwritten signature in black ink that reads "Brian D. Hill". The signature is written in a cursive style. Below the signature, the word "Signed" is written in a smaller, handwritten font.


Brian D. Hill (pro se)
916 Chalmers St. – Apt. D, Martinsville, VA 24112
Phone: (276)632-2599

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2015, I filed the foregoing
MOTION FOR REQUESTING AUTISM EXPERT TESTIMONY IN
PREPERATION FOR WRIT OF HABEAS CORPUS with the Clerk of the Court
by mailing using the United States Postal Service, Postage prepaid.

The filing should be added by the Clerk to the CM/ECF system which will send
notification of such filing to the following parties:

Mr. Anand P. Ramaswamy
Assistant United States Attorney
101 South Edgeworth Street
Greensboro, NC 27401


Signed

Brian D. Hill (pro se)
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